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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,682	08/07/2003	Un-Jin Choi	1293.1860	1771

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EXAMINER

BLOUIN, MARK S

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p>10/635,682</p>	<p>Applicant(s)</p> <p>CHOI, UN-JIN</p>	
	<p>Examiner</p> <p>Mark Blouin</p>	<p>Art Unit</p> <p>2653</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-18 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/14/05</u> | 6) <input type="checkbox"/> Other: _____ |

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Detailed Action

Response to Amendment

- The response filed on May 5, 2005 was applied to the following effect: Claims 4,5,13, and 17 have been amended.

Claim Rejections - 35 USC § 112

1. All relevant rejections is withdrawn as being satisfied.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6 and 9-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshiyuki (JP 2002-279739).
4. Regarding Claims 1-3,9-12, and 16-18, Yoshiyuki shows (Figs. 1-4), an optical disc drive comprising an optical pickup unit (2a) accessing a rotating optical disc, an optical pickup unit feeding apparatus (2) moving the optical pickup unit in a radial direction of the optical disc by rotation of a lead screw with a spiral groove (1), wherein the optical pickup unit feeding apparatus comprises a guide member combined with an optical pickup unit, the guide member (3) comprising one or more contact parts engaging the spiral groove formed on the lead screw, applying a force to the optical pickup unit in response to the rotation of the lead screw, wherein

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the force moves the optical pickup unit, and an elastic member (3) comprising a first elastic section elastically engaging the contact parts, and a second elastic section (4b) forcing the contact parts not to separate from the spiral groove, wherein a spring constant of the second elastic section is greater than a spring constant of the first elastic section (the second elastic must have a higher spring constant to force the first elastic against the spiral groove), where the elastic member is a viscoelastic material having a damping characteristic.

5. Regarding Claims 4-6 and 13-15, Yoshiyuki shows (Figs. 1-4) the optical pickup unit feeding apparatus, wherein the elastic member further comprises a third elastic section (4a), wherein an elastic force is reduced when a displacement of the elastic member in the second elastic section separates the contact parts from the spiral groove, wherein the elastic member comprises a body forming the second elastic section (4b), at least one protrusion (teeth engaging spiral) from the body forming the first elastic section, and at least one cavity (gap between of parts 4a and 4b), in the body forming the third elastic section, wherein the elastic member is a viscoelastic material having a damping characteristic (inherent).

Allowable Subject Matter

6. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

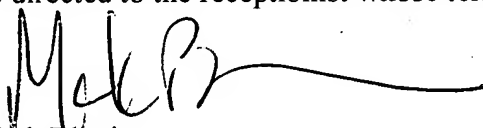
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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (571) 272-7583. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.


Mark Blouin
Patent Examiner,
Art Unit 2653
June 28, 2005

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2500~~ A.U. 2653

